

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: ) Group Art Unit: 3751  
BALL )  
Serial No.: 10/721,694 ) Examiner: FETSUGA, ROBERT M  
Filed: November 25, 2003 ) Confirmation No.: 6303  
Atty. File No.: 5564-138B )  
For: "CAP FOR SEALING A BATHTUB )  
OVERFLOW PORT FOR TESTING )  
PURPOSES" )

*Filed Electronically*

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this Amendment and Response in conjunction with a Request for Continued Examination (RCE) being filed herewith, thereby withdrawing the instant application from the above-identified appeal and reopening prosecution. 37 CFR §1.114(d). The fees associated with the RCE are being submitted electronically. Enclosed herewith is a one-month extension of time, thereby extending the period of reply from December 19, 2008 (one month after the Notice of Panel Decision dated November 19, 2008) to January 21, 2009 (January 19 and 20 of 2009 being USPTO holidays). The fee therefor is also being submitted electronically. The Examiner is authorized to charge any underpayment or credit any over payment to Deposit Account No. 19-1970.

Reconsideration and withdrawal of the rejections of the claims are respectfully requested in view of the following amendments and remarks.

Amendments to the Claims begin on page 2 of this paper; and

Remarks/Arguments begin on page 5 of this paper.